



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,369	03/31/2004	Sherwin S. Chen	030048140US	5488
64066	7590	06/15/2007	EXAMINER	
PERKINS COIE, LLP			BEAULIEU, YONEL	
P.O. BOX 1247				
PATENT - SEA			ART UNIT	PAPER NUMBER
SEATT;E, WA 98111-1247			3661	
			MAIL DATE	DELIVERY MODE
			06/15/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/814,369

Applicant(s)

CHEN ET AL.

Examiner

/Yonel Beaulieu/

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 21-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 21-25 is/are rejected.
- 7) ☒ Claim(s) 8,9,26 and 27 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_.

***Election/Restriction***

Applicant's election without traverse of Group I, claims 1 – 9 and 21 - 27 in the reply filed on 3/23/07 is acknowledged.

Claims 10 – 20 and 28 – 48 have been canceled leaving only the above claims under examination in this instant application.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5978715 to Briffe et al ("Briffe").

Regarding claims 1 and 21, Briffe teaches a system for handling aircraft control information (figs. 1 - 3, 5, 7 – 16, 21 – 24 at least), comprising: a display medium/means (16 – 22; fig. 3 at least; col. 4, lines 54 – 67) coupleable to a flight manager (FMS), the flight manager being configured to receive and direct instructions (from 23, 24, 26, and 28) for automatically controlling aircraft functions at a future time during flight of the aircraft (col. 4, line 55 – col. 5, line 6 at least); and a display controller/means (63/65; fig. 2) coupled to the display medium to present at least one operator (pilot) activatable

Art Unit: 3661

element (thumb-activated multi-axis control switch; abstract; col. 6, lines 19 – 47 at least) at the display medium and update information presented at the display medium when the operator activates the operator activatable element (col. 13, lines 55 – 64; col. 14, lines 35 – 47 at least; note also col. 23, lines 31 – 48; col. 24, lines 11 - 13).

Regarding claims 2 and 22, Briffe further teaches the display controller is configured to direct a display of information corresponding to uncompleted segments of a flight plan (as illustrated in figs. 14 – 16, 22, and 24 at least).

Regarding claims 3 and 23, Briffe further teaches the flight manager is operatively coupled to flight control surfaces of the aircraft, and wherein the flight manager is further configured to receive and direct instructions for automatically controlling the aircraft at least approximately immediately upon receipt (summary; col. 5, lines 42 – 48; col. 6, lines 19 – 31 at least).

Regarding claim 4, Briffe's system is further configured to automatically provide guidance cues to the operator (col. 7, lines 16 – 35; col. 8, lines 16 – 41 and line 55 – col. 9, line 6 at least).

Regarding claims 5 and 24, Briffe's system further comprising a cursor control device operatively coupled to the display medium, and wherein the cursor control device

is configured to direct the movement of a cursor at the display medium (fig. 8; col. 4, lines 8 – 11; col. 5, lines 27 – 32 at least).

Regarding claims 6 and 25, Briffe's system further comprising a keyboard (34; fig. 1) operatively coupled to the display medium (col. 5, lines 19 – 22 at least).

Regarding claim 7, Briffe's display controller is configured to present at least one operator activatable element having an appearance generally similar to that of a mechanical switch (col. 1, lines 26 39; col. 6, lines 27 – 31 at least).

#### ***Allowable Subject Matter***

Claims 8, 9, 26, and 27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art of record fail to teach a system for handling aircraft control information comprising, among other limitations, a display controller that is configured to: receive an input corresponding to a proposed value to be submitted to the flight manager; display the input at a preview display field; and upon receiving a signal authorized by the operator, submit the proposed value to the flight manager; and a plurality of operator activatable elements, with a first one of the operator activatable elements displayed in a first manner and a second one of the operator activatable

Art Unit: 3661

elements displayed in a second manner visually different than the first manner, with the second operator activatable element corresponding to an active display field selected for updating.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to /Yonel Beaulieu/ whose telephone number is (571) 272-6955. The examiner can normally be reached on Mon., Wed. & Thur. between 0900 and 1600.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas BLACK can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3661

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Yonel Beaulieu/  
Yonel Beaulieu  
Primary Examiner  
Art Unit 3661